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U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

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DEPUTY

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DELFINO BENITO-GUTIERREZ (2),

Defendant.

Case No. 08CR0298WQH

ORDER

Upon motion of the UNITED STATES OF AMERICA and good cause appearing, IT IS HEREBY ORDERED that the above entitled Indictment charging the defendant with Transportation of Illegal Aliens and Aiding and Abetting, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(II), returned February 6, 2008, be dismissed, without prejudice, as to defendant DELFINO BENITO-GUTIERREZ.

IT IS FURTHER ORDERED that defendant DELFINO BENITO-GUTIERREZ be released from custody.

IT IS FURTHER ORDERED that the motion hearing date of May 16, 2008, be vacated as to the above-named defendant.

DATED: 4/30/08.

  
United States District Court Judge  
WILLIAM Q. HAYES